

**RESOLUTION NO. 75054**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY ATTORNEY TO NEGOTIATE AND EXECUTE A THIRTEENTH AMENDMENT TO THE AIRPORT LEGAL SERVICES AGREEMENT WITH ORRICK, HERRINGTON & SUTCLIFFE LLP**

**WHEREAS**, Orrick, Herrington & Sutcliffe LLP (“Orrick”) has provided legal services to the City of San José (“City”) regarding finance issues involving the Norman Y. Mineta San José International Airport (the “Airport”) for a number of years; and

**WHEREAS**, the City Attorney’s Office selected Orrick due to the firm’s breadth of experience in the area of municipal finance generally and the City’s Airport revenue debt specifically; and

**WHEREAS**, it would not be in the public interest to conduct a competitive process for these services in light of: (1) Orrick’s experience and expertise in municipal finance; and (2) the need for continuity as the Airport’s debt portfolio has become more complex due to the financings required to implement the first phase of the Airport Master Plan;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Attorney is hereby authorized to negotiate and execute a Thirteenth Amendment to the Agreement for legal services related to the financing of improvements at the Airport and the City’s outstanding Airport revenue debt with Orrick, Herrington & Sutcliffe LLP, to extend the term through June 30, 2010, and increase compensation by \$75,000, for a total amount not to exceed \$425,000.

ADOPTED this 23<sup>rd</sup> day of June, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,  
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk